

October 16, 2018



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP3498
(NINETEENTH REVISION)

EXPIRATION DATE: 2022-09-30

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Department Of Defense (Military Surface Deployment & Distribution Command)
SCOTT AFB, IL
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of fueled combat and other military vehicles loaded with ammunition basic load (ABL), accessory ammunition, and other hazardous materials in periods of declared national emergency, or during contingencies requiring expedited movement of U.S. forces as approved by the appropriate command authority. This special permit does not apply to military exercises or maneuvers re-supply or retrograde movements. This special permit provides no relief from the Hazardous Material Regulations or the International Maritime Dangerous Goods (IMDG) Code other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the IMDG Code.

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4. REGULATIONS FROM WHICH EXEMPTED: Parts 172; Subparts B, C, D, F, H, I, J, L, M, N, O of Part 176; Part 3, Columns (6) and (16) of the IMDG Code; Chapters 5.1, 5.2, and 5.3 of the IMDG Code; and Part 7 of the IMDG Code, except as specified herein.
5. BASIS: This special permit is based on the application of the Department of Defense (Military Surface Deployment & Distribution Command)'s dated September 26, 2018 submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS:
 - a. Vehicles loaded with ABLs classed as Divisions 1.1, 1.2, 1.3, 1.4, 1.5 and 1.6 that have been classed and approved by the DOD Explosive Safety Board and have EX numbers.
 - b. Other hazardous materials (Class or Division 2, 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8, and 9) may be transported on vehicles.
7. SAFETY CONTROL MEASURES:
 - a. PACKAGING:
 - (1) ABLs may be unpackaged and uploaded in storage compartments or racks ("ready-racks") on the following military vehicles:
 - (i) M1 Abrams Tanks;
 - (ii) M2 Bradley (Mech INF);
 - (iii) M3 Bradley (Cav);
 - (iv) M109 Howitzer;
 - (v) M992 FAASV (re-supply vehicle for the M109);
 - (vi) M1064 Mortar Track;
 - (vii) M901 Hammerhead TOW; and
 - (viii) Bradley with Stinger Missile.

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(2) Additional combat or military vehicles that have ammunition items uploaded but have different types of storage compartments or racks ("ready-racks") include:

- (i) M270 MLRS;
- (ii) Patriot Missile System;
- (iii) HUMVEE with Stinger Missile; and
- (iv) HUMVEE with Javelin Missile.

(3) Ammunition must be transported in standard DOD packaging, or packagings complying with the provisions of § 173.7. Fuzes (if removable) must be in separate packagings.

(4) Fuel tanks of vehicles may not be filled to more than 75% of their capacity, including containerized vehicle equipment.

(5) Additional fuel may be carried on vehicles in required DOD or DOT 5 gallon packagings only if:

- (i) Packages are secured in the vehicles in built-in cradles designed for such purpose; or
- (ii) Packages are carried in vehicles using standard DOD securing procedures. This paragraph does not apply to diesel fuel which may be carried in any packaging meeting DOD specifications.

b. STOWAGE:

(1) Loading and stowage of military explosives and other hazardous materials within vehicles must be in accordance with procedures established by the DOD. Such stowage must, in all instances, be sufficient to prevent shifting or movement of cargo in any direction during transportation. Vertical restraint is not required if the shape of the packages, loading pattern, and horizontal restraint preclude vertical movement of the load within the vehicle.

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(2) For containerized vehicles or equipment:

(i) The battery cables must be disconnected and secured to prevent sparks or ignition;

(ii) The access doors of the containers must be marked "WARNING-MAY CONTAIN EXPLOSIVE MIXTURES WITH AIR-KEEP IGNITION SOURCES AWAY WHEN OPENING" on a contrasting background that is readily legible from a distance of 8 meters (26 feet); and

(iii) The container must be stowed in a mechanically ventilated hold or compartment, or stowed above deck.

(3) Vehicles subject to this special permit may be transported on open body/open top motor vehicles or on open body/open top rail cars on vessels, so secured that they cannot permanently change position during transit.

8. SPECIAL PROVISIONS:

a. This special permit applies only to emergency movements during a declared national emergency, or during contingencies requiring expedited movement of U.S. forces as approved by the appropriate command authority and directed by the Commander, Military Traffic Management Command.

b. A Dangerous Cargo Manifest (DCM) is required for explosives and other hazardous materials carried aboard the vessels under this special permit.

c. Each hazardous material must be identified on the shipping papers as prescribed by Part 172, Subpart C.

d. The relief from provisions of 49 CFR Parts 172 (other than a DCM required by Paragraph 8.b.), and 176 and the specific provisions in the IMDG Code identified in Paragraph 4 above applies only when shipments are accompanied by DOD personnel.

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e. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of transit and destination.

f. For the cargo vessel portion of the movement, where it is shown to the satisfaction of the U.S. Coast Guard (USCG) Captain of the Port having jurisdiction, that it is impractical to comply with specific requirements in Parts 100-180, or any provision of this special permit, the Captain of the Port may issue a written waiver of that requirement. A copy of the waiver must accompany the special permit on the affected vessel. Copies must also be provided to the Associate Administrator for Hazardous Materials Safety and Headquarters, Military Traffic Management Command, by the Captain of the Port.

g. The following security and safety measures must be in place during use of this special permit to transport loaded vehicles:

(1) Armed guards must be provided for all vehicles with uploaded ABL from the origin installation to the destination seaport of debarkation.

(2) Armed military guards must provide constant surveillance of all staged equipment with ABL in commercial ocean terminals used for military outbound operations.

(3) USCG establishes escorts and moving security zones from harbor entrance to berth inbound and from berth to harbor entrance outbound. All MSC owned or contracted vessels that are loaded with ammunition will be considered "high value" and require escorts (14 USC 91).

(4) USCG establishes waterside security zones under authority of 33 CFR 165 and 33 USC 1221-1232. Armed waterside security will be required at all times while the vessel is berthed.

(5) USCG establishes limited Access Areas on the land side. Only authorized personnel may access the operational area. These will be enforced by USCG and appropriate civilian law enforcement authorities.

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(6) The net explosive weight will be limited to the amount explosive that can be loaded during an 8-hour shift.

h. The grantee of this special permit must maintain a record of all activity conducted under the authority granted in this approval. The record must contain a listing and number of shipments made to include:

(1) Dates of shipment; and

(2) Description of each type of shipment.

i. All of the above information must be made available upon request to a DOT representative or an enforcement official.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle and cargo vessel used to transport packages covered by this special permit. Also, for shipment by rail freight, a current copy of this special permit must be filed with the rail carrier.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171.180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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